

U.S. Serial No. 10/797,452
Amendment Dated August 29, 2005
Response To Office Action Dated April 28, 2005

REMARKS

The pending application was filed on March 10, 2004 with claims 1-20. The Examiner issued a Non-Final Office Action dated April 28, 2005 rejecting claims 1-20. In particular, the Examiner rejected claims 1-3, 5, 7-8, 11-13, 15 and 17-18 under 35 U.S.C. §102(b), first paragraph, as being anticipated by United States Patent No. 5,102,298 to *Kreitmeier*. The Examiner also rejected claims 4, 6, 9-10, 14, 16, and 19-20 under 35 U.S.C. §103(a) as being unpatentable over *Kreitmeier*.

Claims 1 and 11 are amended herein and arguments are presented differentiating the claimed invention from the cited references. Claims 7, 8, 17, and 18 have been canceled without prejudice. Claims 1-6, 9-16, and 19-20 remain pending in the patent application. In view of the arguments presented above and the arguments set forth below, claims 1-6, 9-16, and 19-20 are allowable, and the Examiner is respectfully requested to withdraw the rejections and issue a timely Notice of Allowance.

I. DRAWINGS

The Examiner objected to the drawings under 37 CFR 1.83(a). The Examiner stated "[t]he drawings must show every feature of the invention specified in the claims." The Examiner then stated that "a plurality of rows of blades" must be shown or the feature canceled from the claim.

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Claims 7, 8, 17, and 18 have been canceled without prejudice. Thus, the Examiner is respectfully requested to withdraw the objection.

II CLAIM OBJECTIONS

The Examiner objected to claim 1 stating that line 6 recites "a stationary," and requested that the phrase be changed to "said stationary." The phrase has been amended in accordance with the Examiner. Thus, the Examiner is respectfully requested to withdraw the rejection.

III REJECTION OF CLAIMS 1-3, 7-8, 11-13, 15, AND 17-18 UNDER 35 U.S.C. §103(a)

The Examiner rejected claims 1-3, 7-8, 11-13, 15, and 17-18 under United States Patent No. 5,102,298 to *Kreitmeier*. The Examiner argued that *Kreitmeier* discloses a seal comprising a plurality of blades extending radially from a rotatable body and generally forming at least one row of blades, and a plurality of blades extending radially from a stationary body towards the rotatable body and generally forming at least one row of blades, wherein the plurality of blades extending radially from the stationary body are positioned proximate to the plurality of blades extending from the rotatable body and are nonparallel with the plurality of blades extending from the rotatable body. The Examiner also made additional statements that are recitations of the elements of the above-identified claims.

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Claims 1 and 11 have been amended and state, in relevant part, "wherein the plurality of blades coupled to the rotatable body are positioned to direct fluids from the at least one row of blades coupled to the rotatable body toward the at least one row of blades coupled to the stationary body to limit leakage of fluids from a high pressure area proximate to the at least one row of blades coupled to the stationary body to a low pressure area proximate to the at least one row of blades coupled to the rotatable body." In contrast, the blade configuration disclosed *Kreitmeier* is designed to reduce a vortex (10) that is created in conventional designs proximate to a turbine vane (11). The blade configuration of *Kreitmeier* is designed such that turbine blades (12) propel air downstream and away from a stationary turbine vane (11). In contrast, the claimed turbine seal propels a fluid upstream toward the stationary blades to prevent leakage of fluid from a high pressure area. The blades shown in *Kreitmeier* are used for power generation for rotating a rotatable body as a fluid passes the blade. Furthermore, *Kreitmeier* does not disclose use of a plurality of blades coupled to a stationary body positioned proximate to a plurality of blades coupled to a rotatable body to seal a high pressure region from a low pressure region. Thus, for at least these reasons, amended claims 1 and 11, and those claims depending therefrom, are allowable, and the Examiner is respectfully requested to withdraw the rejection.

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III. REJECTION OF CLAIMS 4, 6, UNDER 35 U.S.C. §103(a)

The Examiner rejected claims 4, 6, 9-10, 14, 16, and 19-20 under 35 U.S.C. §103(a) as being unpatentable over *Kreitmeier*. The Examiner stated that *Kreitmeier* discloses the claimed invention, but admitted that the angle of the blades on the rotatable and stationary body being about 60 degrees relative to the rotational axis of the rotatable body was not disclosed. The Examiner stated that discovering an optimum value for a variable involves only routine skill without showing an unexpected result. The Examiner concluded that because such an unexpected result is not shown that it would have been obvious to one of ordinary skill in the art to have the angle be 60 degrees.

The Examiner also stated that *Kreitmeier* discloses the claimed invention but admitted that the gap between the blades of the rotatable body and the stationary body being about 0.6 mm and the gap between the blades of the stationary body and the rotatable body being about 0.6 mm is not disclosed. The Examiner stated that discovering an optimum value for a variable involves only routine skill without showing an unexpected result. The Examiner concluded that because such an unexpected result is not shown that it would have been obvious to one of ordinary skill in the art to have a gap between the blades be 0.6 mm.

Independent claims 1 and 11 have been amended to place the claims in a condition for allowance. Claims 4, 6, 9-10, 14, 16, and 19-20 depend directly or indirectly from independent claims 1 and 11. For at least this reason, claims 4, 6, 9-10, 14, 16, and 19-20 are

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allowable, and the Examiner is respectfully requested to withdraw the rejection and issue a
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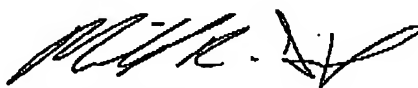
CONCLUSION

For at least the reasons given above, claims 1-6, 9-16, and 19-20 define patentable subject matter and are thus allowable. The undersigned representative thanks the Examiner for examining this application.

Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is respectfully requested to contact the undersigned representative at the telephone number listed below.

No fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0951.

Respectfully submitted,



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